

NOV 03 2006

11/03/2006 17:18 FAX 612 573 2005

DICKE,BILLIG&amp;CZAJA P.A.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Roy Stubbs Examiner: Eileen P. Morgan  
Serial No.: 10/625,353 Group Art Unit: 3723  
Filed: July 23, 2003 Docket No.: M120.241.101 / 50771US006  
Due Date: November 11, 2006  
Title: ABRASIVE MATERIALS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

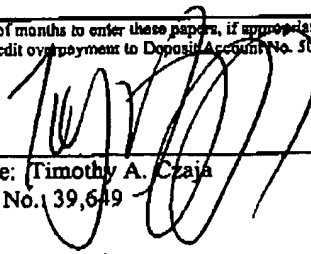
- ☒ Transmittal Sheet containing Certificate of Mailing (1 pg.); and  
☒ Notice of Appeal (2 pgs.).  
☒ The Commissioner for Patents is hereby authorized to charge Deposit Account No. 500471 the amount of \$500.00 (to cover the fee required under 37 C.F.R. §41.20(b)).

If an additional fee is required due to changes to the claims, the fee has been calculated as follows:

| CLAIMS AS AMENDED                       |  |   |  |                         |            |      |
|---|--|---|--|-------------------------|------------|------|
|   | (1)<br>Claims<br>Remaining<br>After<br>Amendment |   | (2)<br>Highest<br>Number<br>Previously<br>Paid For | (3)<br>Present<br>Extra | Rate       | Fee  |
| TOTAL CLAIMS                            | 12   | - | 20   | 0                       | x 50.00 =  | \$ 0 |
| INDEPENDENT CLAIMS                      | 3  | - | 3  | 0                       | x 200.00 = | \$ 0 |
| [ ] MULTIPLE DEPENDENT CLAIMS PRESENTED |  |   |  |                         |            | \$ 0 |
| TOTAL                                   |  |   |  |                         |            | \$ 0 |

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate. At any time during the pendency of this application, please charge any additional fees or credit overpayment to Deposit Account No. 500471.

Please continue to direct all correspondence to:  
3M INNOVATIVE PROPERTIES COMPANY  
P.O. Box 33427  
St. Paul, MN 55133-3427

By:   
Name: Timothy A. Czaja  
Reg. No.: 39,649

**CERTIFICATE UNDER 37 C.F.R. 1.8:**

The undersigned hereby certifies that this paper or papers, as described herein, are being transmitted via facsimile to Facsimile No. (571) 273-8300 on this 3<sup>rd</sup> day of November, 2006.

By:   
Name: Timothy A. Czaja

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DICKE, BILLIG &amp; CZAJA P.A.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Roy Stubbs  
Serial No.: 10/625,353  
Filed: July 23, 2003  
Due Date: November 11, 2006  
Title: ABRASIVE MATERIALS

Examiner: Eileen P. Morgan  
Group Art Unit: 3723  
Docket No.: M120.241.101 / 50771US006

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated August 11, 2006, rejecting claims 1-5 and 7-13. The fee for this Notice of Appeal under 37 C.F.R. §41.20(b) is \$500.00.

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136(a) apply.

☐ (a) Applicant petitions for an Extension of Time under 37 C.F.R. §1.136 (fees 37 C.F.R. 1.17(a)(1)-1.17(a)(5) for the total number of months checked below:

- ☐ one month (\$120.00)  
☐ two months (\$450.00)  
☐ three months (\$1020.00)  
☐ four months (\$1590.00)  
☐ The extension fee has already been filed in this application.

☒ (b) Applicant believes that no Extension of Time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a Petition and fee for Extension of Time.

Please charge Deposit Account No. 50-0471 in the amount of \$500.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-0471 pursuant to 37 C.F.R. 1.25.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

11/06/2006 TL0111 00000071 500471 10625353  
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Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences  
Applicant: Roy Stubbs  
Serial No.: 10/625,353  
Filed: July 23, 2003  
Docket No.: M120.241.101 / 57001US006  
Title: ABRASIVE MATERIALS

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Any inquiry regarding this Amendment and Response should be directed to either David B. Patchett at Telephone No. (651) 736-4713, Facsimile No. (651) 736-3833, or Timothy A. Czaja at Telephone No. (612) 573-2004, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

3M Innovative Properties Company  
P.O. Box 33427  
St. Paul, MN 55133-3427

Respectfully submitted,

Roy Stubbs,

By his attorneys,

DICKE, BILLIG & CZAJA, PLLC  
Fifth Street Towers, Suite 2250  
100 South Fifth Street  
Minneapolis, MN 55402  
Telephone: (612) 573-2004  
Facsimile: (612) 573-2005

Date: November 3, 2006  
TAC:jmc

  
\_\_\_\_\_  
Timothy A. Czaja  
Reg. No. 39,649

**CERTIFICATE UNDER 37 C.F.R. 1.8:**

The undersigned hereby certifies that this paper or papers, as described herein, are being transmitted via facsimile to Facsimile No. (571) 273-8300 on this 3rd day of November, 2006.

By: 

Name: Timothy A. Czaja